

Amendment No. 1 to HB3055

McCord
Signature of Sponsor

AMEND Senate Bill No. 3789

House Bill No. 3055*

By deleting everything following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 13, is amended by adding the following as a new, appropriately designated section:

Section 11-13-1__.

(a) Notwithstanding any law, rule or regulation to the contrary, the daily commercial carrying capacity for that section of the Ocoee River between Rogers Branch and Caney Creek in the lower Ocoee River Recreational Area shall be four thousand two hundred and fifty (4,250) commercial customers for the dates on which the commercial usage on such dates during the last season exceeded four thousand two hundred and fifty (4,250) customers. Each date on which the carrying capacity was capped for the last season shall also be capped on the same date for the next season unless the commercial usage on the capped date during the previous season fell below four thousand fifty (4,050) customers.

(b) Notwithstanding subsection (a), Hiwassee/Ocoee Scenic River State Park management shall have the authority to increase or decrease the daily commercial carrying capacity at the lower Ocoee River Recreational area to the extent staffing and infrastructure will allow; provided that any such decrease will not go below four thousand (4,000) commercial customers.

(c) The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.